

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN**

TERESA ALDERSON,

Plaintiff,

v.

Case No.: 19 CV 445

LANCASTER FAMILY MEDICAL CENTER, SC

Defendant.

COMPLAINT

NOW COMES THE PLAINTIFF, Teresa Alderson, by her attorneys Gingras, Cates & Wachs, by Paul A. Kinne, and hereby states and alleges the following as her Complaint in the above referenced matter.

NATURE OF THE PROCEEDINGS

1. This action is brought to redress the harm done to Teresa Alderson on account of Family Medical Center's unlawful acts directed at Alderson in retaliation for her actions in furtherance of disclosing a potential violation of the False Claims Act.

JURISDICTION AND VENUE

2. Jurisdiction lies in this Court pursuant to 28 U.S.C. §§1331, 1345 and 31 U.S.C. §3730(h).

3. Venue is proper in the United States District Court, Western District of Wisconsin pursuant to 28 U.S.C. § 1391 because the defendant is subject to personal jurisdiction in the Western District of Wisconsin because its principal place of business is within the Western District.

PARTIES

4. Teresa Alderson (Alderson) is a resident of the State of Wisconsin. She was formerly employed by Family Medical Center.

5. Lancaster Family Medical Center, S.C. (Family Medical Center) is a medical clinic operating in Lancaster, Wisconsin. It is owned and operated by Dr. Robert Stader.

FACTUAL ALLEGATIONS

6. In 2015, Alderson began working for Family Medical Center as the Clinic Manager.

7. Also as early as 2015, Family Medical Center, with Stader's knowledge and / or at his direction, fraudulently billed Medicare for care neither Stader nor anyone at his clinic rendered, which is a violation of the False Claims Act.

8. In or about late 2017, an employee from Family Medical Center informed the federal authorities that Stader and Family Medical Center were engaging in fraudulent billing.

9. By or before late 2017, Alderson was aware of the conduct in violation of the False Claims Act.

10. In 2017 into 2018, Alderson informed Stader that he needed to correct the behavior because it was unlawful.

11. In 2017 and 2018, potential buyers were considering the purchase of the clinic.

12. Alderson informed these potential buyers of false billing issue and that it still had to be resolved.

13. Over the course of 2017 and 2018, Stader repeatedly voiced his frustration over the fact that someone had filed a complaint over the billing issue.

14. In March, 2018, upon information and belief, Family Medical Center repaid at least some of the fraudulently acquired funds.

15. Stader frequently associated Alderson with a group of employees he believed to be “disloyal.” Based on the fact that Alderson raised complaints to him about the fraudulent billing, he believed that she was one of the employees behind filing the complaint with the government over the fraudulent billing.

16. On May 17, 2018, Stader terminated Alderson.

17. This termination caused Alderson economic harm.

CAUSE OF ACTION –
VIOLATION OF THE FALSE CLAIMS ACT -- RETALIATION

18. Plaintiff hereby incorporates the foregoing paragraphs as if set forth fully herein.

19. By engaging in the conduct described in the complaint, Alderson’s activity was protected under the False Claims Act.

20. Stader knew of Alderson’s protected activity prior to May 17, 2018.

21. Stader / Family Medical Center terminated Alderson because she engaged in protected activity.

22. Family Medical Center acted willfully and with malicious intent when it fired Alderson.

23. The termination caused Alderson severe and permanent economic harm.

WHEREFORE, the Plaintiff requests the following relief:

- a. An award of lost back pay and the dollar value of lost benefits in an amount sufficient to make Alderson completely whole.
- b. A penalty paid by Family Medical Center to Alderson in an amount equal to the value of her lost back pay and benefits;

- c. Reinstatement to her position with Family Medical Center;
- d. An award of her attorney's fees and costs incurred related to this action; and
- e. Any other relief the Court deems just to award.

JURY DEMAND

The plaintiff respectfully requests that this matter be tried before a jury of six (6) competent persons.

Dated this 31st day of May, 2019.

s/ Paul A. Kinne
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